

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

2020 McLaren 600 LT Spider et. al.,

Defendants.

8:22CV240

SUPPLEMENTAL JOINT
STIPULATION REGARDING ORDER
FOR INTERLOCUTORY SALE

STIPULATION

The Plaintiff United States of America, Claimant Blake Cook in his capacity as Personal Representative of Brett A. Cook's Estate and as Trustee of Brett A. Cook's Revocable Trust, Claimant Pinnacle Bank, and Claimant Darland Properties LLC (collectively "The Parties"), with a full and complete reservation of rights as set forth below, pursuant to Rule G(7)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and with the intent to be legally bound, do hereby provide the following supplemental stipulation and agree as follows:

1. On December 2, 2022, The Parties filed a motion for entry of an order for interlocutory sale regarding the real property located at 980 County Road W., Space 1146, Fremont, Nebraska ("Fremont Property") and a joint stipulation relating to such. (Filing Nos. 44, 45).
2. On this date, the Court entered an Order for Interlocutory sale of the Fremont Property pursuant to The Parties' motion and joint stipulation. (Filing No. 46).

3. After the Order was filed, the parties became aware that Electrical Contractors, Inc. had filed a construction lien on the Fremont Property with the Saunders County Register of Deeds, Instrument No. 2022-07-372, in the amount of \$43,288.50 filed by Electrical Contractors, Inc. on or about July 26, 2022.
4. In addition to the proceeds from the interlocutory sale being distributed to Pinnacle Bank in satisfaction of the Mortgage Loan and Cross-Collateralization Loan on the Fremont Property, The Parties further agree that the proceeds from the interlocutory sale should also be distributed to Electrical Contractors, Inc. to satisfy the amount of the aforementioned duly recorded construction lien.
5. The Parties continue to agree that the remaining sale proceeds are a substitute res subject to forfeiture in place of the property that was sold and to the remaining stipulations in The Parties joint stipulation. (Filing No. 45).
6. This supplemental stipulation is subject to approval by the District Court.

WHEREFORE, The Parties respectfully requests this Court supplement the order for an interlocutory sale of the real property located at 980 County Road W., Space 1146 Fremont, Nebraska (Filing No. 46), and further provide that once payment has been made to Pinnacle Bank in satisfaction of the Mortgage Loan and Cross-Collateralization Loan, payment should also be directed to Electrical Contractors, Inc. for the construction lien in the amount of \$43,288.50 to from the sale proceeds, and to direct the United States Marshal Service or applicable agency to hold the remaining sale proceeds in an interest-bearing account until the final adjudication of this civil forfeiture case.

UNITED STATES OF AMERICA,
Plaintiff

STEVEN A. RUSSELL
Acting United States Attorney
District of Nebraska

By: s/ Mikala Purdy-Steenholdt

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all parties associated with this case

s/ Mikala Purdy-Steenholdt

Assistant U.S. Attorney